

States, including defense policy and foreign policy priorities;

(10) on April 12, 2018, former Secretary of Defense James Mattis warned that “any Nation that can’t keep its fiscal house in order eventually cannot maintain its military power”;

(11) on March 6, 2018, Director of National Intelligence Dan Coats warned: “Our continued plunge into debt is unsustainable and represents a dire future threat to our economy and to our national security”;

(12) on November 15, 2017, former Secretaries of Defense Leon Panetta, Ash Carter, and Chuck Hagel warned: “Increase in the debt will, in the absence of a comprehensive budget that addresses both entitlements and revenues, force even deeper reductions in our national security capabilities”;

(13) on September 22, 2011, former Chairman of the Joint Chiefs of Staff Michael Mullen warned: “I believe the single, biggest threat to our national security is debt”.

**SA 420.** Mr. BRAUN submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. \_\_\_\_ . POSTHUMOUS HONORARY PROMOTION TO GENERAL OF LIEUTENANT GENERAL FRANK MAXWELL ANDREWS, UNITED STATES ARMY.**

(a) **POSTHUMOUS HONORARY PROMOTION.**—Notwithstanding any time limitation with respect to posthumous promotions for persons who served in the Armed Forces, the President is authorized to issue a posthumous honorary commission promoting Lieutenant General Frank Maxwell Andrews, United States Army, to the grade of general.

(b) **ADDITIONAL BENEFITS NOT TO ACCRUE.**—The honorary promotion of Frank Maxwell Andrews under subsection (a) shall not affect the retired pay or other benefits from the United States to which Frank Maxwell Andrews would have been entitled based upon his military service or affect any benefits to which any other person may become entitled based on his military service.

**SA 421.** Mr. CRUZ (for himself, Mr. MARSHALL, Mr. SCOTT of Florida, Mr. RISCH, Mr. PAUL, Mr. DAINES, Mr. CRAPO, Mr. BARRASSO, Mr. BRAUN, Ms. LUMMIS, and Mrs. BLACKBURN) submitted an amendment intended to be proposed by him to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title V, insert the following:

**SEC. \_\_\_\_ . REMEDIES FOR MEMBERS OF THE ARMED FORCES DISCHARGED OR SUBJECT TO ADVERSE ACTION UNDER THE COVID-19 VACCINE MANDATE.**

(a) **LIMITATION ON IMPOSITION OF NEW MANDATE.**—The Secretary of Defense may not

issue any COVID-19 vaccine mandate as a replacement for the mandate rescinded under section 525 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 absent a further act of Congress expressly authorizing a replacement mandate.

(b) **REMEDIES.**—Section 736 of the National Defense Authorization Act for Fiscal Year 2022 (Public Law 117-81; 10 U.S.C. 1161 note prec.) is amended—

(1) in the section heading, by striking “**TO OBEY LAWFUL ORDER TO RECEIVE**” and inserting “**TO RECEIVE**”;

(2) in subsection (a)—

(A) by striking “a lawful order” and inserting “an order”; and

(B) by striking “shall be” and all that follows through the period at the end and inserting “shall be an honorable discharge.”;

(3) by redesignating subsection (b) as subsection (e); and

(4) by inserting after subsection (a) the following new subsections:

“(b) **PROHIBITION ON ADVERSE ACTION.**—The Secretary of Defense may not take any adverse action against a covered member based solely on the refusal of such member to receive a vaccine for COVID-19.

“(c) **REMEDIES AVAILABLE FOR A COVERED MEMBER DISCHARGED OR SUBJECT TO ADVERSE ACTION BASED ON COVID-19 STATUS.**—At the election of a covered member discharged or subject to adverse action based on the member’s COVID-19 vaccination status, and upon application through a process established by the Secretary of Defense, the Secretary shall—

“(1) adjust to ‘honorable discharge’ the status of the member if—

“(A) the member was separated from the Armed Forces based solely on the failure of the member to obey an order to receive a vaccine for COVID-19; and

“(B) the discharge status of the member would have been an ‘honorable discharge’ but for the refusal to obtain such vaccine;

“(2) reinstate the member to service at the highest grade held by the member immediately prior to the involuntary separation, allowing, however, for any reduction in rank that was not related to the member’s COVID-19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation;

“(3) for any member who was subject to any adverse action other than involuntary separation based solely on the member’s COVID-19 vaccination status—

“(A) restore the member to the highest grade held prior to such adverse action, allowing, however, for any reduction in rank that was not related to the member’s COVID-19 vaccination status, with an effective date of reinstatement as of the date of involuntary separation; and

“(B) compensate such member for any pay and benefits lost as a result of such adverse action;

“(4) expunge from the service record of the member any adverse action, to include non-punitive adverse action and involuntary separation, as well as any reference to any such adverse action, based solely on COVID-19 vaccination status; and

“(5) include the time of involuntary separation of the member reinstated under paragraph (2) in the computation of the retired or retainer pay of the member.

“(d) **RETENTION AND DEVELOPMENT OF UNVACCINATED MEMBERS.**—The Secretary of Defense shall—

“(1) make every effort to retain covered members who are not vaccinated against COVID-19 and provide such members with professional development, promotion and leadership opportunities, and consideration equal to that of their peers;

“(2) only consider the COVID-19 vaccination status of a covered member in making deployment, assignment, and other operational decisions where—

“(A) the law or regulations of a foreign country require covered members to be vaccinated against COVID-19 in order to enter that country; and

“(B) the covered member’s presence in that foreign country is necessary in order to perform their assigned role; and

“(3) for purposes of deployments, assignments, and operations described in paragraph (2), create a process to provide COVID-19 vaccination exemptions to covered members with—

“(A) a natural immunity to COVID-19;

“(B) an underlying health condition that would make COVID-19 vaccination a greater risk to that individual than the general population; or

“(C) sincerely held religious beliefs in conflict with receiving the COVID-19 vaccination.

“(e) **APPLICABILITY OF REMEDIES CONTAINED IN THIS SECTION.**—The prohibitions and remedies described in this section shall apply to covered members regardless of whether or not they sought an accommodation to any Department of Defense COVID-19 vaccination policy on any grounds.”.

**SA 422.** Mrs. CAPITO (for herself, Mr. CARPER, Mr. GRAHAM, Mr. BOOKER, Mr. KELLY, Mr. CRAPO, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. MANCHIN, and Mr. RISCH) submitted an amendment intended to be proposed by her to the bill S. 2226, to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XXXI, insert the following:

**SEC. 31 \_\_\_\_ . ACCELERATING DEPLOYMENT OF VERSATILE, ADVANCED NUCLEAR FOR CLEAN ENERGY.**

(a) **SHORT TITLE.**—This section may be cited as the “Accelerating Deployment of Versatile, Advanced Nuclear for Clean Energy Act of 2023” or the “ADVANCE Act of 2023”.

(b) **DEFINITIONS.**—In this section:

(1) **ACCIDENT TOLERANT FUEL.**—The term “accident tolerant fuel” has the meaning given the term in section 107(a) of the Nuclear Energy Innovation and Modernization Act (Public Law 115-439; 132 Stat. 5577).

(2) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(3) **ADVANCED NUCLEAR FUEL.**—The term “advanced nuclear fuel” means—

(A) advanced nuclear reactor fuel; and

(B) accident tolerant fuel.

(4) **ADVANCED NUCLEAR REACTOR.**—The term “advanced nuclear reactor” has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115-439).

(5) **ADVANCED NUCLEAR REACTOR FUEL.**—The term “advanced nuclear reactor fuel” has the meaning given the term in section 3 of the Nuclear Energy Innovation and Modernization Act (42 U.S.C. 2215 note; Public Law 115-439).

(6) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Environment and Public Works of the Senate; and